

**Notice of Allowability**

Application No.

09/426,573

Applicant(s)

FISHER ET AL.

Examiner

JAGDISH PATEL

Art Unit

3624

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/5/06.
2. ☒ The allowed claim(s) is/are 15-25.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date <u>1/5/06</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                             | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|  | 9. <input type="checkbox"/> Other _____.   |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114.

Applicant's submission filed on 1/5/06 has been entered.

### ***Information Disclosure Statement***

2. The information disclosure statement (IDS) submitted on 1/5/05 was filed after the mailing date of the notice of allowance on 10/4/2005. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

### ***Response to Amendment***

3. Claims 15-25 are pending and are allowed.

### ***Reasons for Allowance***

4. The following is an examiner's statement of reasons for allowance:

The claimed invention pertains to processing and transmission of status information relating to commerce related events among the interested parties.

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5. The following prior art references have been deemed most relevant to the allowed claim(s):

Helinski, Paul (« Automating Web-site Maintenance » Web Techniques December 1996 teaches a system and method which automatically notifies to the users of any changes in the content of a web site based upon the preferences entered by the user when they sign in.

Linstead (US Pat. 5,548,753) teaches a passive system that writes a record into a predetermined storage location or table upon the occurrence of a predetermined event within a database system. (See col. 7, L15+). Linstead further teaches a daemon process that detects this record and, in response automatically prepares an electronic mail message and informs a supervisor that the purchase order (whose record is altered) is awaiting attention.

Canadian Patent (CIPO) application No. 2,173,166 dated April 1, 1996, teaches a method for facilitating physical mail delivery using Non-Physical Messages (such as an electronic message). A mail carrier such as a postal service receives electronic message via the Internet or other communication system from the customer who wish to

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receive specific mail delivery service from the carrier. The carrier prepares a report for the mail delivery service, which facilitates the arrangement for appropriate mail delivery in accordance with the customer specified delivery information.

E-commerce: Computer Associated announces CA-OpenIngres/ICE, providing Web enabled access to corporate data, EDGE, on & about AT&T, v10, n386, p19(1) published Dec 11, 1995. (E-commerce) teaches a database management system which through intelligent active business rules automatically notify users via an email message whenever a user's order is fulfilled.

The closest prior art of record discussed above generally relate to the allowed subject matter, namely they pertain to communicating business related information via the electronic messages between different entities. The claims of the represent invention represent non-obvious improvements over the prior art because each claim includes the following novel feature(s).

**Claims 15-25:** automatically obtaining status information relating to a commerce related event from and generated by a common carrier information system via a network, retrieving the status information from the common carrier information system database, automatically generating a status message reflective of the status information

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and automatically forwarding the status message to a point where it may be accessed by an interested party.

Note that the daemon process disclosed in Linstead, simply checks whether a database has been updated and does not proactively seek the status of an event (e.g., a commerce-related or other type of event) from an information system (e.g., a common-carrier information system or any other type of information system) as per the allowed claims. Likewise, none of the cited closest prior art, alone, or any combination, teach or suggest this limitation. Therefore, claims 15-25 which recite steps of automatically generating and automatically forwarding the message as noted above are deemed patentable over the identified prior references.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAGDISH PATEL whose telephone number is (571) 272-6748.

The examiner can normally be reached on 800AM-600PM M-Th.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (571) 272-6747. The fax phone number for the organization where this application or proceeding is assigned is 517-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jagdish N. Patel

(Primary Examiner, AU 3624)

6/8/06